

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

:  
GEORGE WORRELL, et al, : Hon. Joseph H. Rodriguez  
Plaintiffs, : Civil Action No. 09-4443  
v. : Order  
ELLIOTT & FRANTZ, et al, :  
Defendants. :  
:

These matters having come before the Court on motion for summary judgment of Defendant Elliott & Franz [29] and on cross motion for partial summary judgment [37] of Plaintiffs George and Mary Worrell; and the Court having considered the written submissions of the parties and the arguments advanced during the hearing on June 22, 2011; and for the reasons expressed on the record that day, as well as those set forth in the Opinion of even date;

IT IS on this 28<sup>th</sup> day of June, 2011 hereby  
ORDERED that Defendant's motion for summary judgment [27] is DENIED; and  
it is further

ORDERED that Plaintiffs' cross motion for summary judgment [37] is GRANTED  
IN PART.

/s/ Joseph H. Rodriguez  
Hon. Joseph H. Rodriguez,  
UNITED STATES DISTRICT JUDGE